

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

LOCAL 8027, AFT-NEW HAMPSHIRE, AFL-CIO, RYAN)
RICHMAN, JOHN DUBE and JOCEYLN MERRILL,)
teachers in the New Hampshire Public Schools, and)
KIMBERLY GREEN ELLIOTT and MEGHAN EVELYN)
DURDEN, parents or guardians of children in the New)
Hampshire public schools.)

Plaintiffs,)

v.)

FRANK EDELBLUT, in his Official Capacity as)
Commissioner of the DEPARTMENT OF EDUCATION,)
CHRISTIAN KIM in his Official Capacity as the Chair of the)
NEW HAMPSHIRE COMMISSION ON HUMAN RIGHTS,)
and JOHN FOMELLA in his Official Capacity as)
ATTORNEY GENERAL of the State of New Hampshire.)

Defendants.)

ANDRES MEJIA,)
CHRISTINA KIM PHILIBOTTE, and)
NATIONAL EDUCATION ASSOCIATION-NEW)
HAMPSHIRE,)

Plaintiffs,)

v.)

FRANK EDELBLUT, in his official capacity only as the)
Commissioner of the New Hampshire Department of)
Education,)

JOHN M. FORMELLA, in his official capacity only as the)
Attorney General of the State of New Hampshire,)

AHNI MALACHI, in her official capacity only as the)
Executive Director of the New Hampshire Commission for)
Human Rights,)

CHRISTIAN KIM, in his official capacity)
only as the Chair of the New Hampshire Commission for)
Human Rights,)

KEN MERRIFIELD, in his official capacity only as the)
Commissioner of the Department of Labor,)

Defendants.)

) Civil No. 1:21-cv-01077-PB

JOINT MOTION TO EXCEED PAGE LIMIT

The parties jointly move to exceed the 25-page limit under Local Rule 7.1(a)(3) for their respective memoranda of law supporting their dispositive motions for summary judgment. The parties collectively state as follows:

1. The parties seek to file their respective memoranda of law in support of their motions for summary judgment in excess of the 25-page limit under Local Rule 7.1(a)(3). The parties submit that there is good cause for this relief.
2. First, for the sake of efficiency, Plaintiffs will be filing a joint brief in this case, rather than two separate briefs. Per the Court's instructions, Plaintiffs are doing so to streamline the arguments in this case to avoid repetition and for the sake of judicial economy. Because Plaintiffs are merging the arguments of two different client groups in two different consolidated cases, they believe that an enlargement of the page limit is appropriate. Indeed, Plaintiffs' consolidated memorandum addresses two operative complaints, and this case presents multiple questions of constitutional law. Second, an enlargement is necessary because of the nature of the record created in this matter, including the number of documents produced and five depositions taken in this case. Plaintiffs plan to file a consolidated memorandum of law not to exceed 70 pages, and this motion allows any such enlargement to be reciprocal for Defendants.

3. No memorandum supports this motion because all arguments are set forth herein.
LR 7.1(a)(2)

WHEREFORE, the parties respectfully request that this Honorable Court:

- A. Permit the parties to file memoranda of law in support of their respective motions for summary judgment in excess of the 25-page limit under Local Rule 7.1(a)(3), including the parties to submit memoranda no longer than 70 pages; and
- B. Grant such other relief as the Court deems just and equitable.

August 14, 2023

Respectfully Submitted,

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